

Court of Appeals, Division One
Criminal

1 CA-CR 15-0613

STATE v. HERNANDEZ

Appellate Case Information

Case Filed: 22-Sep-2015
Case Closed:

Dept/Composition

Department D

Hon. Andrew W Gould
Hon. Peter B Swann
Hon. Patricia A Orozco

Side 1. STATE OF ARIZONA, Appellee

(Litigant Group) STATE OF ARIZONA

- State of Arizona

Attorneys for: Appellee

Eric Knobloch, Esq. (AZ Bar No. 30269)

Side 2. ROLAN G HERNANDEZ, Appellant

(Litigant Group) ROLAN G HERNANDEZ

- Rolan G Hernandez

Attorneys for: Appellant

Terry Reid, Esq. (AZ Bar No. 20643)

CASE STATUS

Dec 6, 2016.....Decision Rendered

PREDECESSOR CASE(S)	Cause/Charge/Class	Judgment/Sentence	Judge, Role <Comments>	Trial	Dispo
MAR CR2014-141888-001	Possession or Use of Dangerous Drugs, Class 4	3 Years Probation	Annielaurie Van Wie, Sentencing	JURY	

2 OPEN DUE DATES

Motion for Reconsideration due

Due By: Tuesday, December 27, 2016

Re: MEMORANDUM DECISION (Affirmed) Hon Peter B Swann - Author; Hon Andrew W Gould - Concur; Hon Patricia A Orozco - Concur

Petition for Review to ASC due

Due By: Tuesday, January 10, 2017

Re: MEMORANDUM DECISION (Affirmed) Hon Peter B Swann - Author; Hon Andrew W Gould - Concur; Hon Patricia A Orozco - Concur

CASE DECISION

06-Dec-2016 MEMORANDUM DECISION

Peter Swann.....Author
Andrew Gould.....Concur
Patricia Orozco.....Concur

Filed: 06-Dec-2016 Mandate:

Decision Disposition

Affirmed

36 PROCEEDING ENTRIES

- 22-Sep-2015 FILED: Notice of Appeal from Maricopa County Superior Court filed 09/14/15. Notification sent to Court Reporters dated 09/21/2015. Includes Designation of Record
- 27-Oct-2015 FILED: Reporters Transcript - 1/07/2015 - (Janice Penfield)
- 27-Oct-2015 FILED: Reporters Transcript - 8/26/2015 - (Janice Penfield)
- 28-Oct-2015 FILED: e-Record on Appeal:
Instruments/Minute Entries: Combined
Disposition Report: 47
Exhibits: None Sent

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5. 28-Oct-2015 FILED: Additional Record on Appeal
Exhibits:
Hearing Date 7/23/2015 List # 2 3 4 11 12 in a manila envelope
Sealed Items:
Confidential Criminal History Addendum in Sealed Manila Envelope
6. 28-Oct-2015 FILED: Motion for Extension (Of Time to File Transcripts) (Karen Bolton)
7. 29-Oct-2015 ORDERED: Motion for Extension (Of Time to File Transcripts) (Karen Bolton) = GRANTED. Due Dates EXTENDED to 11/30/2015 for Transcripts dated 05/13/2015, 07/23/2015 or OSC 12/02/15. Hon Samuel A Thumma - Author
8. 30-Oct-2015 FILED: Reporter's Transcript - 07/27/2015 - (Helene Paustian)
9. 30-Nov-2015 FILED: Reporter's Transcript - 05/13/2015 - (Karen Bolton)
10. 30-Nov-2015 FILED: Reporter's Transcript - 07/23/2015 - (Karen Bolton)
11. 4-Dec-2015 FILED: Notice of Completion of Record
12. 15-Dec-2015 FILED: Motion to Provide Sealed or Confidential Jury List; Certificate of Service (Appellant)
13. 22-Dec-2015 ORDERED: Motion to Provide Sealed or Confidential Jury List (Appellant) = GRANTED/Unsealing the random jury list, IOR 34, to permit inspection and/or copying of the random jury list for use by the appellant or the appellee for this appeal only. Anthony Mackey ProTem Judge - Author
14. 4-Jan-2016 FILED: Motion to Supplement Appellate Record; Certificate of Service (Appellant)
15. 12-Jan-2016 ORDERED: Motion to Supplement Appellate Record (Appellant) = DENIED/Denying the motion without prejudice to filing a renewed motion, if this court is in error, or a motion to remand to reconstruct the record. Anthony Mackey ProTem Judge - Author
16. 13-Jan-2016 FILED: Renewed Motion to Supplement Appellate Record; Certificate of Service (Appellant)
17. 19-Jan-2016 FILED: Reporters Transcript - 07/27/2015 - (Helene Paustian) (Amended)
18. 20-Jan-2016 ORDERED: Renewed Motion to Supplement Appellate Record (Appellant) = GRANTED/Ken Crenshaw transcript dated 07/22/15 due 02/22/16. FURTHER ORDERED: Opening Brief due date EXTENDED to 03/23/16. Anthony Mackey ProTem Judge - Author
19. 20-Jan-2016 FILED: Motion to Extend Opening Brief Due Date; Certificate of Service (Appellant) (WITHDRAWN per order dated 01/25/16)
20. 22-Jan-2016 FILED: Withdrawal of January 20, 2016 Motion to Extend; Certificate of Service (Appellant)
21. 25-Jan-2016 ORDERED: Withdrawal of January 20, 2016 Motion to Extend (Appellant)= GRANTED/Granting the motion and withdrawing the motion to extend filed 01/20/16. Anthony Mackey ProTem Judge - Author
22. 17-Feb-2016 FILED: Reporters Transcript - 07/22/2015 - (Janice Penfield)
23. 18-Mar-2016 FILED: Request to Use Original Transcript of July 27, 2015 and Ignore So-Called "Amended" Transcript; Certificate of Service (Appellant)
24. 24-Mar-2016 ORDERED: Extending the time to file the Opening Brief to/including 4/22/16. Fred Cole ProTem Judge - Author
25. 22-Apr-2016 FILED: Appellant's Opening Brief; Certificate of Compliance; Certificate of Service (Appellant)
26. 9-May-2016 FILED: Notice of Appearance; Certificate of Service (Appellee)
27. 7-Jun-2016 ORDERED: Answering Brief due date EXTENDED from Monday, 06-06-2016 to Wednesday, 07-06-2016. Fred Cole ProTem Judge - Author
28. 23-Jun-2016 FILED: Appellee's Answering Brief; Certificate of Compliance; Certificate of Service (Appellee)
29. 27-Jun-2016 FILED: Memorandum – to Clerk of Superior Court Re: any additional record not already transmitted due within 10 days
30. 7-Jul-2016 FILED: Supplemented Superior Court e-Record with Revised Index of Record

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36 PROCEEDING ENTRIES

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| 31. | 19-Jul-2016 | ORDERED: Reply Brief due date EXTENDED from Monday, 07-18-2016 to Monday, 08-08-2016. Fred Cole ProTem Judge - Author |
| 32. | 8-Aug-2016 | FILED: Appellant's Reply Brief; Certificate of Compliance; Certificate of Service (Appellant) |
| 33. | 29-Aug-2016 | CLNDR: CONFERENCE, Department D, 10-5-16, COURTROOM 2. |
| 34. | 8-Nov-2016 | FILED: Notice of Appearance; Certificate of Service (Appellant) |
| 35. | 6-Dec-2016 | MEMORANDUM DECISION (Affirmed) Hon Peter B Swann - Author; Hon Andrew W Gould - Concur; Hon Patricia A Orozco - Concur |
| 36. | 6-Dec-2016 | FILED: Memorandum Decision Distribution List |